THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.20636 of 1995

Dated 19-09-2006

Between:

A. **Nageswara Rao,**
Srikakulam, Srikakulam District.

……Petitioner.

and

The Zonal Manger, Food Corporation of India,
Madras and others.

……Respondents.

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.20636 of 1995

ORDER:

This writ petition is filed by the petitioner who at the relevant time had been working as Technical Assistant (TA) Grade. II office of the District Manager, Food Corporation of India seeking directions to the respondents to follow the seniority list prepared in proceedings No.13/8/78 seniority cell dated 12.12.1978 of Zonal Office, Madras.

The case of the petitioner is that he was appointed initially as AG.III Depot on 22-4-1976 and was later appointed as AG.III Technical with effect from on 31-7-1976. Though his seniority was fixed taking 22-4-1976 as the date of initial appointment in the seniority list prepared up to 12-12-1978, subsequently, the date of his initial appointment had been revised in proceedings 13/8/78 seniority cell dated 23-3-1979. In short the case of the petitioner is that the benefit of service between 22-4-1976

when he was first appointed as AG-III Depot and on 31-7-1976 when he was later appointed as
AG-III (Technical) cannot be denied to him.

Sri V.Anjaneyulu, learned counsel for the petitioner has placed before me copies of judgments in W.P.No.14812 of 1987 dated
9-2-1996 and W.A.No.575 of 1996 dated 11-6-1996, in the first of the cases one Sri. P.Satyanarayana raised a similar contention, which was negatived by the learned Single Judge of this Court. The learned Judge *inter alia* held "as the petitioner has worked as AG-III (Technical) with effect from 30-06-1976 his seniority has been reckoned only from that date and the service rendered by him as A.G.III (Depot) could not be treated as rendered as AG-III (Technical)"

In the writ appeal, the said judgment of the learned single Judge was confirmed. Since an identical issue has thus been decided, this writ petition shall fail.

The writ petition is accordingly dismissed. In the circumstances, there is no order as to costs.

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(C.V. NAGARJUNA REDDY, J)

Dated 19th September 2006
mrb